

KABGB10010712026



**IN THE COURT OF THE PRINCIPAL CIVIL JUDGE
& JMFC, AT RAIBAG**

P R E S E N T

**SMT.PRIYA BHATTAD,
B.Com., LL.B.,
PRINCIPAL CIVIL JUDGE AND JMFC, RAIBAG.**

DATED THIS THE 24th DAY OF JULY, 2026

Crl.Misc.No.352/2026

PETITIONER:

1. Shri.Mahadev S/o.Basappa Metri,
Age: 54years, Occ: Agriculture,
R/o: Kankanawadi village, Tal: Raibag,
Dist: Belagavi.

(Represented by Shri.K.S.Pujeri., Counsel)

// VERSUS //

RESPONDENT:

1. The Chief Officer, Kankanwadi,
Tq: Raibag, Dist: Belagavi.

(Ex-Parte)

CLAIM :- PETITION UNDER SECTION 13[3] OF BIRTHS AND DEATHS REGISTRATION ACT, 1969.

O R D E R

1. This petition is filed by petitioner against the respondent **U/Sec.13[3] of the Registration of Births and Deaths Act, 1969** praying for issuance of direction to the respondent to register the factum of death of the petitioner's mother by name **Smt.Ratnavva W/o.Basappa Metri, who was died on 13.10.2017 at Kankanawadi village, Tq: Raibag, Dist:Belagavi.**

2. The brief averments of the petitioner's case is that,

That the petitioner's mother by name **Smt.Ratnavva W/o.Basappa Metri, who was died on 13.10.2017 at Kankanawadi village,**

Tq: Raibag, Dist:Belagavi. After the demise of the petitioner's mother the factum of death of petitioner's mother, was informed to the respondent and the petitioner's was under impression that, the date of death of his mother, might have been entered in the concerned register maintained at the office of the respondent. The petitioner had applied for issuance of the Death Certificate of his mother, but the respondent gave Non-Availability Certificate dated: 17.07.2026 interalia stating that, the factum of death of **Smt.Ratnavva W/o.Basappa Metri**, has not been entered in their register. Therefore, the petitioner approached this Court for issuance of direction to respondent to enter the factum of death of his mother, in the concerned register for **Varasa** purpose. Hence, the petition.

3. Notice of the petition is served to the respondent. Despite due service, the respondent remained absent. Consequently, they have been placed Ex-Parte. On being summoned through paper citations, none appeared to resist the petition of the petitioner.

4. The petitioner has examined himself as P.W-1 and produced four documents marked at Ex.P-1 to Ex.P-4. The respondent has not led evidence on their side.

5. I have heard the arguments of **Shri.K.S.Pujeri**, Advocate the learned counsel appearing for petitioner. I have perused the records.

6. The following points that would arise for my consideration;

P O I N T S

1. Whether the prayer made in the application can be granted?

2. What order ?

7. My answer to the above points are as under;

Point No.1: In the Affirmative.

**Point No.2: As per final order,
for the following;**

R E A S O N S

8. POINT No.1:- The petitioner examined himself as P.W.1, he deposed that his mother by name **Smt.Ratnavva W/o.Basappa Metri,** who was died on **13.10.2017** at **Kankanawadi village, Tq:Raibag, Dist: Belagavi.** On his making of an application for issuance of Death Certificate of his mother, the respondent on dated: 17.07.2026 issued the Non-Availability Certificate as per Ex.P-1 interalia

stating that, the factum of death of petitioner's mother, had not been entered in their register. The Ex.P-1 apparently shows that, the death of **Smt.Ratnavva W/o.Basappa Metri**, has not been entered in the records maintained at the office of the respondent. As per the paper citation published in the daily news paper no objectors arrived. The evidence of petitioner's and documents produced by him remained unchallenged. Therefore, I do not find any reason to disbelieve the testimony and documents produced by PW.1.

9. There is no contra material available on record to disbelieve the case of petitioner. Therefore, I am of the considered opinion that the necessary direction requires to be given to enter the date of death of petitioner's mother, in the concerned registers. Accordingly, point No.1 is answered in the **Affirmative**.

10. POINT No.2:- In view of my answer to point No.1, I proceed to pass the following;

O R D E R

The petition filed by the petitioner U/Sec.13(3) of the Registration of Births and Deaths Act, 1969 is hereby allowed.

The respondent is hereby directed to enter the death of petitioner's mother by name Smt.Ratnavva W/o.Basappa Metri, who was died on 13.10.2017 at Kankanawadi village, Tq:Raibag, Dist:Belagavi in the concerned register, on payment of requisite penalty.

(Dictated to the Stenographer directly on computer, corrected and then pronounced by me in the Open Court on this the **24th Day of July, 2026**)

**(Smt.Priya Bhattad)
Principal Civil Judge & JMFC.,
Raibag.**

A N N E X U R E**1. LIST OF WITNESSES EXAMINED BY THE PETITIONER:**

1. PW-1 : Shri.Mahadev S/o.Basappa Metri.

2. LIST OF DOCUMENTS MARKED BY THE PETITIONER:

1. Ex.P-1: Non-Availability Certificate.

2. Ex.P-2: Notarized Aadhar Card of petitioner.

3. Ex.P-3: “Hasiru-Kranti” News paper.

4. Ex.P-3(A): Marked portion in Ex.P-3.

5. Ex.P-4: “Nadoj” News paper.

6. Ex.P-4(A): Marked portion in Ex.P-4.

3.LIST OF WITNESSES EXAMINED BY THE RESPONDENT:

-NIL-

4. LIST OF DOCUMENTS MARKED BY THE RESPONDENT:

-NIL-

**(Smt. Priya Bhattad)
Principal Civil Judge & JMFC.,
Raibag.**